



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,773	02/07/2002	Shell Sterling Simpson	10008242-1	3617

7590 12/13/2005
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

BAKER, CHARLOTTE M

ART UNIT	PAPER NUMBER
----------	--------------

2626

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/071,773

Applicant(s)

SIMPSON ET AL.

Examiner

Charlotte M. Baker

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: p. 9, ln. 1, insert --09/924058-- for the U.S. Patent Application Serial No..

Appropriate correction is required.

Claim Objections

2. Claims 19 and 20 are objected to because of the following informalities: replace "comprise" with --comprises-. Appropriate correction is required.

3. The following is a quotation of 37 C.F.R. 1.75 (d)(1):

The claim or claims must conform to the invention as set forth in the remainder of the specification and the terms and phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description.

4. Claims 13 and 19 are objected to because of the following informalities: "the network" lacks antecedent basis. Appropriate correction is required.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Chan (6,342,952).

Regarding claim 1: The structural elements of apparatus claim 12 perform all of the steps of method claim 1. Thus, claim 1 is rejected for the same reasons discussed in the rejection of claim 12.

Regarding claim 2: Chan satisfies all the elements of claim 1. Chan further discloses wherein the step of accessing imaging data comprises accessing imaging data via a network (Fig. 1, and col. 2, ln. 66 through ln. 7).

Regarding claim 3: Chan satisfies all the elements of claim 1. The structural elements of apparatus claim 13 perform all of the steps of method claim 3. Thus, claim 3 is rejected for the same reasons discussed in the rejection of claim 13.

Regarding claim 4: Chan satisfies all the elements of claim 1. The structural elements of apparatus claim 14 perform all of the steps of method claim 4. Thus, claim 4 is rejected for the same reasons discussed in the rejection of claim 14.

Regarding claim 5: Chan satisfies all the elements of claim 1. The structural elements of apparatus claim 15 perform all of the steps of method claim 5. Thus, claim 5 is rejected for the same reasons discussed in the rejection of claim 15.

Regarding claim 6: Chan satisfies all the elements of claim 1. The structural elements of apparatus claim 16 perform all of the steps of method claim 6. Thus, claim 6 is rejected for the same reasons discussed in the rejection of claim 16.

Regarding claim 7: Chan satisfies all the elements of claim 1. Chan further discloses wherein the step of receiving the area and color is facilitated by presenting a representation of the imaging data to the user (col. 3, ln. 10-18).

Regarding claim 8: Chan satisfies all the elements of claim 1. The structural elements of apparatus claim 17 perform all of the steps of method claim 8. Thus, claim 8 is rejected for the same reasons discussed in the rejection of claim 17.

Regarding claim 9: Chan satisfies all the elements of claim 1. Chan further discloses the step of storing the adjusted imaging data (col. 3, ln. 30-35) in a store (Fig. 1, server 10) that is accessible over a network (Fig. 1, col. 2, ln. 66 through ln. 7).

Regarding claim 10: Chan satisfies all the elements of claim 1. Chan further discloses the step of storing the adjusted imaging data within memory (Fig. 1, approved match formulas are downloaded to automated dispensing equipment) of a printing device (Fig. 1, automated dispensing equipment 24) that is to be used to print the adjusted imaging data (col. 4, ln. 4-11).

Regarding claim 11: Chan satisfies all the elements of claim 1. Chan further discloses the step of facilitating printing of the adjusted imaging data (col. 4, ln. 4-11).

Regarding claim 12: Chan discloses means for accessing imaging data to be printed (Fig. 1, CPU 4 and color monitor 6 in communication with server 10); means for receiving area and color selections from a user (col. 3, ln. 10-18); and means for adjusting the color of the area as desired (graphical user interface, col. 3, ln. 3-7).

Regarding claim 13: Chan satisfies all the elements of claim 12. Chan further discloses wherein the means for accessing imaging data (Fig. 1, CPU 4 and color monitor 6 in communication with server 10) comprise means for retrieving data from a store (Fig. 1, server 10) that is accessible over the network (col. 2, ln. 66 through ln. 7).

Regarding claim 14: Chan satisfies all the elements of claim 13. Chan further discloses wherein the means for retrieving imaging data comprise an imaging extension (common gateway interface, col. 3, ln. 10-18).

Art Unit: 2626

Regarding claim 15: Chan satisfies all the elements of claim 14. Chan further discloses wherein the imaging extension comprises part of a user browser (accept the information input by the customer, col. 3, ln. 10-18).

Regarding claim 16: Chan satisfies all the elements of claim 14. Chan further discloses wherein the imaging extension comprises part of a network-based service (Fig. 1 and col. 2, ln. 66 through ln. 18).

Regarding claim 17: Chan satisfies all the elements of claim 12. Chan further discloses wherein the color comprises a specific named color (col. 4, ln. 4-7).

Regarding claim 18: Chan discloses logic configured to access imaging data to be printed (Fig. 1, CPU 4 and color monitor 6 in communication with server 10); logic configured to receive area and color selections of a user (col. 3, ln. 10-18); and logic configured to adjust the color of the area as desired (graphical user interface, col. 3, ln. 3-7).

Regarding claim 19: Chan satisfies all the elements of claim 12. Chan further discloses wherein the logic configured to access imaging data (Fig. 1, CPU 4 and color monitor 6 in communication with server 10) comprises logic configured to retrieve imaging data from a store (Fig. 1, server 10) that is accessible over the network (col. 2, ln. 66 through ln. 7).

Regarding claim 20: Chan satisfies all the elements of claim 18. Chan further discloses wherein the logic configured to access imaging data comprises an imaging extension (common gateway interface, col. 3, ln. 10-18).

Regarding claim 21: Chan satisfies all the elements of claim 20. Chan further discloses wherein the imaging extension comprises part of a user browser (accept the information input by the customer, col. 3, ln. 10-18).

Art Unit: 2626

Regarding claim 22: Chan satisfies all the elements of claim 20. Chan further discloses wherein the imaging extension comprises part of a network-based service (Fig. 1 and col. 2, ln 66 through ln. 18).

Regarding claim 23: Chan satisfies all the elements of claim 18. Chan further discloses wherein the color comprises a specific named color (col. 4, ln. 4-7).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlotte M. Baker whose telephone number is 571-272-7459. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CMB


KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER